

Court of Appeals, State of Michigan

ORDER

People of MI v Elroy Lucky Jones

Docket No. 275984

LC No. 06-007202-01

Brian K. Zahra
Presiding Judge

Michael J. Talbot

Karen M. Fort Hood
Judges

The Court orders that the motion to remand is GRANTED, defendant-appellant's conviction and sentence are REVERSED, and the matter is REMANDED for a new trial, the transcript of three days of defendant-appellant's four-day jury trial being unavailable and the parties having been unable to settle the record. See *People v Horton (After Remand)*, 105 Mich App 329, 331; 306 NW2d 500 (1981).

The Court further orders that Court Reporter Glenda J. Merritt (R-6566) is hereby referred to the Court Reporting and Recording board of Review for license review, including an investigation of her character and fitness as a court reporter. This referral is based upon Court Reporter Glenda J. Merritt's failure to safeguard the record in this matter in accordance with MCR 8.108(D), the *Michigan Manual for Court Reporters and Recorders*, Section 2, Chapter 7, subsection A., and the *Michigan Trial Court Case File Management Standards*, Component 24, ~~pages~~ 39 through 41.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 27 2008

Date

Sandra Schultz Mengel
Chief Clerk